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Jeyhan Karaoguz

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MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

MENDOZA JR, JORGE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,193	Applicant(s) KARAOGUZ ET AL.	
	Examiner JORGE MENDOZA JR	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/05/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/03/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims **1-30** are presented for Examination.
2. Claims **2-6, 8-21**, and **29-30** have been amended.

Drawings

3. The drawings were received on 03/05/2008. These drawings are accepted.

Response to Arguments

4. Applicant's arguments filed 03/05/2008 have been fully considered but they are not persuasive with respect to Claims **1-30**
5. Applicant argues that the rejection relying on Billock et al. (**US PGPUB 2002/0059581 A1**) does not anticipate independent Claims **1, 7, 13**, and **21** and fails to meet the claimed "associating, outside of the home, a plurality of key sequences with a corresponding plurality of media files". The Examiner respectfully disagrees. The Billock et al. reference has been relied upon to teach the navigation of an interactive interface using a navigation sequence (using actuators 52, 54, 58, & 60); whereby the navigation sequence is construed as a 'key sequence' using the broadest reasonable interpretation (*Figs.5&6; ¶ [0027], [0062], & [0069]-[0075]*). The Examiner additionally points out that although the Applicant may be viewing a 'key sequence' as a 'key code', such language has not been used in the claims and is therefore not construed as such. Furthermore,

the specification makes no clear definition of what a 'key sequence' may be comprised of and therefore the broadest reasonable interpretation of it has been taken.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims **1-30** are rejected under 35 U.S.C. 102(b) as being anticipated by **Billock et al. (US Patent Application Publication 2002/0059581 A1)**.

With respect to Claim **1**, the claimed “*associating, outside of the home, a plurality of key sequences with a corresponding plurality of media files; receiving one of said plurality of key sequences via manual input within the home*” is met by Billock et al. that teach how a user, at a viewing station (**14**) within a home, to able select a particular video program from among a number of available video programs by using a remote control unit (**38**) to navigate a selection bar (**50**) a program selection bar (**56**) and a selection actuator (**62**) (*Figs.5&6; paragraphs [0027], [0062] & [0069]-[0075]*). The claimed “*communicating one of the plurality of media files for display on the television screen, said one of said plurality of media files corresponding to at least one of said associated plurality of key sequences*” is met by Billock et al. that teach the transmittal of a video program, upon its selection through the use of a remote control (**38**), to a television (**34**)

located at a viewing station (**14**) within a home (Figs.5&6; paragraphs [0027], [0030], [0075]).

With respect to Claim **2**, the claimed “*comprising determining whether said received one of said received plurality of key sequences is associated with an existing function for media exchange*” is met by Billock et al. that teach the use of a graphics computer (**30**) in presenting the information received by viewing station (**14**), pertaining to the available video programs, on an interactive interface that can be navigated by a user (Figs. 1, 2, 5, & 6; paragraphs [0059], [0060], [0064]).

With respect to Claim **3**, the claimed “*comprising if said received one of said received plurality of key sequences is associated with said existing function for media exchange; requesting at least one media file associated with said existing function for media exchange*” is met by Billock et al. that teach the requesting of a selected video program by the graphics computer (**30**) of the viewing station (**14**) to telecasting facility (**12**) (Figs. 1, 2, 5, & 9H, paragraphs [0032], [0122] & [0123]).

With respect to Claim **4**, the claimed “*comprising if said received one of said received plurality of key sequences is associated with said existing function for media exchange; receiving at least one media file associated with said existing function for media exchange*” is met by Billock et al. that teaches the transmittal of a requested video program from processing system (**22**) to graphics computer (**30**) of the viewing station (**14**) (Figs. 1, 2, 5, & 9H; paragraphs [0075] & [0123]).

With respect to Claim **5**, the claimed “*comprises if said received one of said received plurality of key sequences is associated with said existing function for media*

exchange; displaying at least one media file associated with said existing function for media exchange” is met by Billock et al. that teach the displaying of the requested video program on a television (34) by the graphics computer (30) of the viewing station (14) (Figs. 1, 2, 5, & 9H; paragraphs [0075] & [0124]).

With respect to Claim 6, the claimed “*comprising notifying a user of said one of said plurality of key sequences that is associated with a function for media exchange*” is met by Billock et al. that teach the use of an interactive interface, that can be navigated through a remote control (38) by a user, for the notification and selection of a available video programs (Figs. 6-8; paragraphs [0062] & [0064]).

Claim 7 is met as previously discussed with respect to Claim 1.

Claim 8 is met as previously discussed with respect to Claim 2.

Claim 9 is met as previously discussed with respect to Claim 3.

Claim 10 is met as previously discussed with respect to Claim 4.

Claim 11 is met as previously discussed with respect to Claim 5.

Claim 12 is met as previously discussed with respect to Claim 6.

With respect to Claim 13, the claimed “*receiving a key code corresponding to at least one media exchange function associated with a media program generated by a third (3rd) party provider of media, said key code corresponding to at least one key sequence*” is met by Billock et al. that teach the receiving of a ‘VIEWER_ID’ by graphics computer (30), whereby the “VIEWER_ID” is used in authorizing a user to view full-length video programs and the subsequent transmittal of the video from a telecasting facility (12) (Figs. 1, 2, 5, & 9A; paragraph [0090]). The claimed “*communicating one or both*

of said key code and data representative of said key code to said third (3rd) party media provider” is met by Billock et al. that teach the transmittal of the “VIEWER_ID” by the graphics computer (30) to telecasting facility (12) (Figs.2 & 9A; paragraph [0092]). The claimed *“in response to said communicated one or both of said key code and data representative of said key code, receiving media content corresponding to said key code and said at least one media exchange function from at least said third (3rd) party media provider*” is met by Billock et al. that teach selective transmittal, corresponding to the “VIEWER_ID”, of a listing of available programs and the still images & video previews pertaining to them to a graphics computer (30) (Figs.1, 2, 5, 9A; paragraphs [0064] & [0094]).

With respect to Claim 14, the claimed *“comprising determining whether said key code is associated with an existing media exchange function*” is met by Billock et al. that teach processing system (22) verifying a “VIEWER_ID” with information on a station table in order to determine the type of listing the user is authorized to receive (Figs. 1, 2, 4, & 5; paragraphs [0093], [0094]).

With respect to Claim 15, the claimed *“comprising if said key code is associated with said existing media exchange function, requesting said received media content corresponding to said key code and said at least one media exchange function from said third (3rd) party media provider*” is met by Billock et al. that teach the request of a selected video program, listed on an interactive interface corresponding to a “VIEWER_ID”, by the graphics computer (30) of the viewing station (14) to telecasting facility (12) (Fig.1, 2, 5, & 9H, paragraphs [0032], [0122] & [0123]).

With respect to Claim **16**, the claimed *“comprising if said key code is unassociated with said existing media exchange function, initiating the creation of a new media exchange function corresponding to said key code”* is met by Billock et al. that teach the interactive creation of a “VIEWER_ID” for a user that has entered a invalid “VIEWER_ID”, at which point the user can view full-length video programs (Fig.5; paragraphs [0126] & [0127]).

With respect to Claim **17**, the claimed *“comprising transferring said received media content correspond to said key code and said at least one media exchange function from said third (3rd) party media provider to a media processing system”* is met by Billock et al. that teach the transmittal of still pictures and preview videos corresponding to the videos listed on the interactive interface provided for a particular “VIEWER_ID” (Figs.6 & 7; paragraphs [0064], [0094], [0107] & [0109]).

With respect to Claim **18**, the claimed *“comprising presenting at least a portion of said received media content corresponding to said key code and said at least one media exchange function to said user”* is met by Billock et al. that teach the use of a monitor (**34**) in presenting still pictures and preview videos corresponding to videos listed on an interactive interface corresponding to a ‘VIEWER_ID’ (Figs.1, 5; paragraphs [0002], [0027], [0057], & [0064]).

With respect to Claim **19**, the claimed *“comprising displaying at least a portion of said received media content corresponding to said key code and said at least one media exchange function on a television screen of said media processing system”* is met by Billock et al. that teach the use of a television monitor (**34**) in presenting still

pictures and preview videos corresponding to videos listed on an interactive interface correspond to a 'VIEWER_ID' (Figs.1, 5; paragraphs [0002], [0027], [0057], & [0064]).

With respect to Claim **20**, the claimed *"comprising notifying a user of availability of said key code associated with a media program generated by said third (3rd) party media provider"* is met by Billock et al. that teach the notification to a user in the form of a non-subscriber confirmation signal (paragraph [00093] & 0126]).

Claim **21** is met as previously discussed with respect to Claim **13**. Furthermore, Billock et al. teach the use of processor, in the form of a graphics computer (**30**), at viewing station (**14**) (Fig. 5).

Claim **22** is met as previously discussed with respect to Claim **14**.

Claim **23** is met as previously discussed with respect to Claim **15**.

Claim **24** is met as previously discussed with respect to Claim **16**.

Claim **25** is met as previously discussed with respect to Claim **17**.

Claim **26** is met as previously discussed with respect to Claim **18**.

Claim **27** is met as previously discussed with respect to Claim **19**.

Claim **28** is met as previously discussed with respect to Claim **20**.

With respect to Claim **29**, the claimed *"comprising receiving said key code generated by one or more of a remote control device, a keyboard, a scanning device and an audio processing device"* is met by Billock et al. that teach the use of a remote control in inputting "VIEWER_ID" (Fig.5; paragraphs [0062] & [0090]).

With respect to Claim **30**, the claimed *"wherein said at least one processor is one or more of a media processing system processor, a media management system*

processor, a computer processor, a media exchange software processor and a media peripheral processor” is met by Billock et al. that teach the use of graphics computer (30) at viewing station (14) (Fig.5).

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jorge Mendoza Jr.** whose telephone number is (571) 270-5087. The examiner can normally be reached on Monday through Thursday 9:00 am –7:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Scott Beliveau** can be reached at (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JORGE MENDOZA JR/

Examiner, Art Unit 2623

/Scott Beliveau/

Supervisory Patent Examiner, Art Unit 2623